

REMARKS

Claims 1-15 and 22-34 are pending in the present application. Claims 1-15 and 22-34 stand rejected under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with written description requirement. Applicant respectfully submits that in light of the arguments set forth below, claims 1-15 and 22-34 are supported by Applicant's Specification and are allowable.

The Examiner rejected claims 1 and 15 alleging that Applicant's Specification does not disclose two features including a plurality of computer profiles for connection to at least one of the wireless networks and a network identifier corresponding to a different wireless network. The examiner further alleges that Applicant's amendment does not clarify these two features. Applicant respectfully disagrees and submits that the Examiner misinterpreted the disclosure of the instant application since support for the two features can be found throughout Applicant's Specification, for example, on page 3, lines 3-5 and 7-14. In view of the remarks provided herein, Applicant respectfully traverses this rejection.

In particular, as admitted by the Examiner, the Specification discloses in the summary and on page 3, lines 3-11, the steps of creating a computer profile corresponding to a network having an identifier, using the computer profile to cause the computer to recognize the network and creating a communication link between the computer and the network. Applicant respectfully submits that in the Final Office Action dated October 18, 2005, the Examiner erred in interpreting the disclosure in Applicant's Specification. As further stated in the Specification of the present application, the computer may be programmed to contain multiple profiles to recognize and connect with multiple unrelated networks. See, Specification page 3, lines 7-8. Therefore, the Specification clearly discloses a plurality of computer profiles for connecting to a plurality of networks. The Specification also discloses storing the name of a selected profile for

use by other programs. See, Specification page 3, lines 8-9. This statement also clarifies that a plurality of computer profiles may be implemented. Accordingly, the Examiner erred in asserting that multiple profiles were not disclosed. Although there are other instances of adequate disclose in the Specification to support the subject matter recited in claims 1 and 15, in the interest of being concise, Applicant has provided the limited examples herein. It should be noted that there are various other portions of the Specification that adequately support all recitations of claims 1 and 15.

The Specification also discloses that wireless Local Area Network (WLAN) service providers may create profiles away from the client computer and load the profiles on a network such as the Internet. The Specification discloses that a customer signing up for service may download the profiles and store on their computer. See, Specification page 3, lines 12-14. This illustrates that a plurality of computer profiles may be used for connecting to at least one of the wireless networks. Since multiple computer profiles as well as multiple wireless networks are clearly disclosed in Applicant's Specification, as described above, the Examiner erred in the assertion that "a plurality of computer profiles for connection to at least one of the wireless networks" is not properly supported.

The Specification also states that an extended server set identifier (ESSID) is created 525 and stored as part of the profile. The ESSID is used to determine the WLAN service area when the terminal is communicating with the network. See Specification page 10, lines 8-10. This disclosure provides a network identifier (i.e., the ESSID) corresponding to a different wireless network. Therefore, it is abundantly clear that the Specification discloses "a network identifier corresponding to a different wireless network." Accordingly, the Examiner is in error as to the two features that Applicant's amendment set forth in claims 1 and 15. In other words, the

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Examiner had failed to consider the disclosure in Applicant's Specification in its entirety, including the cited passage on page 3 and page 10, as described above. However, Applicant respectfully submits that the above support cited for the two features of claims 1 and 15 is merely examples of the disclosure since the Specification provides support for these features at other numerous instances throughout the patent application.

The Specification clearly discloses a plurality of computer profiles for connection to at least one of the wireless networks and a network identifier corresponding to a different wireless network, as described above. Upon reading of claims 1 and 15, those skilled in the art having benefit of the present disclosure would readily decipher how a plurality of computer profiles may be used for connecting to at least one of the wireless networks where each network identifier may correspond to a different wireless network.

With respect to claim 11, the Examiner asserts that Applicant's Specification does not indicate how to create a plurality of network profiles and Applicant's amendment did not clarify the steps of "creating a plurality of network profiles." However, these assertions are flawed since Applicant's Specification discloses the creating feature. Applicant respectfully submits that the Examiner's argument is in error and that Applicant's Specification discloses creating plurality of network profiles called for by claim 11 of the present invention. That is, contrary to the Examiner's assertions, Applicant's Specification discloses throughout the instant application, including on page 9, lines 4-9 configurations for numerous WLANs that correspond to a plurality of network profiles. The Specification discloses that when a user turns on the mobile unit 15, for example, an auto configuration program automatically loads the correct configuration for the WLAN that the mobile unit 15 is near. The Specification also discloses that, for example, Figure 5a of Applicant's Specification describes a method of creating software configuration profiles

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enabling portable terminals to operate over different WLANs, see page 10, lines 4-5. The Specification further discloses that several profiles may be created 540 by the user reflecting different WLAN connections. See page 10, lines 13-14. This disclosure clearly indicates how to create a plurality of network profiles. However, Applicant respectfully submits that the above support cited for the features of claim 11 is merely examples of the disclosure since the Specification provides support for these features at other numerous instances throughout the patent application.

Although Applicant's Specification describes creating a plurality of network profiles, perhaps the interchangeable use of other terms such as computer profile, software configuration profiles, configurations and connections, may have caused some confusion as to whether creating a plurality of network profiles is indeed disclosed. The description in Applicant's Specification clarifies this issue. For example, the Abstract on page 23 states that the software profiles each corresponds to a unique network. Therefore, the creation of a plurality of network profiles is disclosed. As described on page 11, lines 1-20, for example, a profile wizard 600 may be used for the creation and editing of the profiles, among other things. Thus, the feature of "creating a plurality of network profiles" in claim 11 would be abundantly clear to those skilled in the art having benefit of the present disclosure.

The Specification clearly discloses creating a plurality of network profiles, as set forth above. Upon reading of claim 11, those skilled in the art having benefit of the present disclosure would readily understand how to create a plurality of network profiles. Although there are other instances of adequate disclosure in the Specification to support the subject matter recited in claim 11, in the interest of being concise, Applicant has provided the limited examples herein. It

should be noted that there are various other portions of the Specification that adequately support all recitations of claim 11.

With respect to claim 14, the Examiner alleges that the Specification does not disclose “connect to a plurality of wireless networks.” The Examiner further states that Applicant’s amendment does not clarify this step of claim 14. Applicant respectfully disagrees with the Examiner for at least the following reasons. Claim 14 calls for enabling a mobile processor to connect to a plurality of wireless networks. However, this is yet another example of Examiner’s misinterpretation of the disclosure of Applicants Specification. Support for enabling a mobile processor to connect to a plurality of wireless networks may be found, for example, on page 9, lines 4-9 in Applicant’s Specification. Applicant’s Specification on page 16, lines 5-19 further discloses providing a successful association between a profile and a WLAN to allow automatic connection to the WLAN to be completed. Therefore, it is abundantly clear that Applicant’s Specification provides for connecting to a plurality of wireless networks. However, Applicant respectfully submits that the above support cited for the features of claim 14 are merely examples of the disclosure since the Specification provides support for these features at other numerous instances throughout the patent application.

Applicant’s Specification clearly discloses enabling a mobile processor to connect to a plurality of wireless networks, as described above. Upon reading of claim 14, those skilled in the art having benefit of the present disclosure would readily understand how to enable a mobile processor to connect to a plurality of wireless networks.

With respect to claim 22, the Examiner contends that storing a plurality of network profile wherein each of the plurality of network profiles is associated with a different available

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wireless network is not disclosed in Applicant's Specification. In addition, the Examiner states that this amendment to claim 22 does not clarify the steps of the storing feature. Applicant respectfully submits that the Examiner misquotes the Specification. In particular, the Examiner asserts "Once profile that define a communication link between a remote unit and a wireless Local Area Network (WLAN) are established, they are stored...." Contrary to Examiner's position, the Specification discloses that "Once profiles that define a communication link between a remote unit and a wireless Local Area Network (WLAN) are established, they are stored, encrypted and can be password protected." See Applicant's Specification on page 3, lines 10-11. Again, it appears that the Examiner has misinterpreted the subject matter of Applicant's disclosure to argue lack of disclosure for the storing feature of claim 22 of the present invention. In fact, Applicant's disclosure on page 10, lines 4-5 and 13-14 supports the storing feature claimed in claim 22, on line 8 of page 10, and the disclosure calls for an ESSID being created and stored as part of the profile. Furthermore, Applicant describes loading the profiles on the portable terminal. See Applicant's Specification on page 10, line 14. Therefore, Applicant respectfully asserts that the Examiner's arguments are in error and that Applicant's Specification clearly discloses the storing feature set forth in claim 22. However, Applicant respectfully submits that the above support cited for the features of claim 22 is merely examples of the disclosure since the Specification provides support for these features at other numerous instances throughout the patent application. Although there are other instances of adequate disclose in the Specification to support the subject matter recited in claim 22, in the interest of being concise, Applicant has provided the limited examples herein. It should be noted that there are various other portions of the Specification that adequately support all recitations of claim 22.

Applicant's Specification clearly discloses storing a plurality of network profiles wherein each of the plurality of network profiles is associated with a different available wireless network, as described above. Upon reading of claim 22, those skilled in the art having benefit of the present disclosure would readily understand storing a plurality of network profiles wherein each of the plurality of network profiles is associated with a different available wireless network.

With respect to claim 32, Applicant respectfully requests that the Examiner reconsider the disclosure in Applicant's Specification because if the Examiner's logic is followed, then there would be no real need for multiple profiles associated with different wireless networks. However, contrary to the Examiner's assertions, Applicant's Specification discloses configuring of a wireless network adapter. The wireless network adapter may recognize and connect with one or more networks. See Applicant's Specification on page 10, lines 8-9. Software profiles may be loaded to or created on the adapter such that software profiles each corresponds to a unique network. See Applicant's Specification on page 10, lines 13-22. However, Applicant respectfully submits that the above support cited for the features of claim 32 is merely examples of the disclosure since the Specification provides support for these features at other numerous instances throughout the patent application.

Applicant's Specification clearly discloses storing a plurality of network profiles and wherein each of the plurality of network profiles, as described above. Upon reading of claim 32, those skilled in the art having benefit of the present disclosure would readily understand storing a plurality of network profiles wherein each of the plurality of network profiles is associated with a different available wireless network.

For at least the reasons set forth above, Applicant respectfully traverses the rejection of claims 1-15 and 22-34 under §112, and respectfully assert that claims 1-15 and 22-34 are allowable.

The Examiner rejected claims 1-3, 5-15, 22-24, and 26-34 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,128,661 (*Flanagin*). Applicant respectfully traverses the rejections.

For convenience, claim 22 is discussed first. Claim 22 calls for a method of configuring a processor-based system for communications. The method comprises storing a plurality of network profiles to allow connections to one or more wireless networks available to the processor-based system, wherein each of the plurality of network profiles is associated with a different available wireless network, selecting at least one of the plurality of network profiles based on at least one of the wireless networks available to the processor-based system, and establishing a communication link between the processor-based system and at least one of the wireless networks available to the processor-based system based on the selected network profile.

Flanagin is directed to the interaction between a desktop computer 4 and mobile devices 3A and 3B using various types of communication links over a single network. By using any one of a plurality of different communication links based on partnership information 10, a mobile device may connect to the desktop computer 4 even when the mobile device is remote from the desktop computer 4.

However, *Flanagin* is completely silent to the claimed subject matter of storing a plurality of network profiles wherein each of the plurality of network profiles is associated with a different available wireless network, as called for by claim 22. Despite this fundamental

deficiency, the Examiner argues that *Flanagin* teaches each and every claim element. In fact, the Examiner simply repeated the previous rejections by now essentially applying the same citations in *Flanagin* and the arguments set forth in the First Office Action to the amended claims.

In particular, the Examiner argues that *Flanagin* teaches that the mobile device connects to the computer using one of a plurality of communication link since use of one of the unique settings for each unique connection corresponds to a network profile. See Final Office Action, page 6. Here, the Examiner purports to draw an analogy between the teachings of *Flanagin* and the claimed subject matter in an attempt to reject the claim under §102(e). The Examiner's argument is again flawed for several reasons. First, it is well established that to be an anticipatory reference under §102(e), the reference must disclose identically each and every claim element. *Flanagin* teaches that using any one of the various types of communication links over a single network, a mobile device may connect to a desktop computer. Second, the communication links are based on local connections over the single network, such as the network 123 shown in Figure 5 in *Flanagin*. In contrast, claim 22 calls for storing a plurality of network profiles wherein each of the plurality of network profiles is associated with a different available wireless network, which is not disclosed by *Flanagin*. Therefore, the cited reference (*Flanagin*) does not disclose every element of claim 22.

Figure 5 of *Flanagin* illustrates various communication links that can be formed with the present invention. In FIG. 5, the mobile device 3A can communicate with the desktop computer 4 via a serial connection 115, an infrared link 117, or over a direct LAN connection 119 and over a network 123 (for example, where the user has a second network connection close to the desktop computer 4). In *Flanagin*, the mobile device 3B can communicate remotely with the

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desktop computer 4 through a direct LAN connection 121. While the network 123 includes a network gateway 139 for communicating with the wide area network 137, a remote connection to the desktop computer 4 can be obtained by remotely docking with another desktop system 143 connected to the network 123 such as through the serial connection 115. In this way, the mobile device 3B need not be physically present at the desktop computer 4 and not limited to using the serial connection 115 or the infrared link 117 to exchange information with the desktop computer 4. See *Flanagin* col. 8, lines 5-43.

However, the Examiner alleges that since *Flanagin* teaches that a computer may operate in a wireless networked environment using logic connections to one or more remote computers which may be a server, router, network PC or other network node. *Flanagin* provide connections to more than one wireless networks. As such, *Flanagin* fails to provide network profiles associated with different available wireless networks. In contrast, *Flanagin* only describes configuration settings for services to be used by the user to transfer or copy data between the connected mobile device 3A or 3B and the desktop computer 4. See *Flanagin*, col. 4, lines 8-11. At most, the settings or parameters may control aspects of the connection and the data transfer process when a mobile device is connected to the desktop computer 4. Accordingly, the prior art cited by the Examiner lacks any teaching that there is a network profile associated with a different available wireless network, as claimed in Applicant's claimed invention in claim 22. In other words, not only does the Examiner fails to show creating a plurality of network profiles, the Examiner also fails to show that a network profile is associated with a different available wireless network. In view of the foregoing reasons, claim 22 is allowable and is not anticipated by the teachings of *Flanagin*.

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Flanagin establishes communications between a mobile device 3A, 3B and a computer, such as a desktop computer 4, to allow the mobile device to exchange data with the desktop computer 4. See *Flanagin*, col. 3, lines 28-30. *Flanagin* discloses that the mobile device 3A, 3B may connect to the desktop computer 4 by way of a wired connection (LAN or serial port) or an infrared (IR) connection. See *Flanagin*, col. 8, lines 19-22. As shown in Figure 5, *Flanagin* shows that the mobile device 3A, 3B can establish a direct, non-network based connection with the desktop computer 4 using a serial connection 115 and IR connection 117. See *Flanagin*, col. 4, lines 39-46.

Flanagin fails to teach one or more of the claimed features. For example, *Flanagin* at least does not teach storing a plurality of network profiles to allow connections to one or more available wireless networks. While *Flanagin* teaches that a mobile device can establish a “partnership” with a desktop computer 4 over an IR link 117, this connection is not a network-based connection between the mobile device 3A, 3B and the desktop computer 4. See *Flanagin*, col. 4, lines 39-46.

The partnership information 10 comprises settings or parameters to control aspects of the connection and data transfer process when each mobile device 3A and 3B is connected. The partnership information 10 corresponding to each mobile device 3A and 3B is stored on the desktop computer 4 and is accessed each time the user connects the mobile devices 3A and 3B thereto. Thus, each user need not have to reestablish his or her user preferences each time the mobile device 3A or 3B is connected. The partnership information 10 includes any unique settings for each unique type of mobile device being connected to the desktop computer 4. The partnership information 10 can be stored on a network server that is accessible to the desktop computer 4. The partnership information 10 on the desktop computer 4 includes a record of the

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partnership with the mobile device and a module to access any relevant user setting pertaining to the partnership. See *Flanagin* col. 3, lines 39-65. The partnership information 10 includes configuration settings for services used by the user to transfer or copy data between the connected mobile device 3A or 3B and the desktop computer 4 as well as data necessary to perform a service. See *Flanagin* col. 4, lines 8-11.

New partnerships between the mobile devices 3A and 3B and the desktop computer 4 are formed through a direct serial connection such as illustrated in FIG. 5 at the serial connection 115 or the infrared link 117. For initial formation of the partnership between the desktop computer 4 and a mobile device a direct "Local" connection may be used, but once the partnership has been formed any one of the connection links discussed above can be used. For example, the desktop computer 4 includes a plurality of serial communication ports which can be used to form the local connection. See *Flanagin* col. 4, lines 39-51. As taught in *Flanagin*, the wireless IR link creates a local connection with the desktop computer 4. Thus, *Flanagin* does not teach storing a plurality of network profiles to allow connections to one or more available wireless networks.

Moreover, as called for by claim 22, *Flanagin* does also not teach "network profiles," each of which is associated with a different available wireless network (i.e., "network profiles" that correspond to a given available wireless network). While Figure 4 in *Flanagin* shows that a mobile device 3A or 3B may have a number of identifiers, (e.g. ID1 91A and ID2 91B) stored to connect to various desktop computers 4, it does not teach or even suggest storing a plurality of network profiles associated with different wireless networks available to the mobile device 3A or 3B. Rather, the identifiers are used to identify a particular desktop computer with which a "partnership" can be established. These identifiers are thus computer IDs, and not network

identifiers. For these reasons alone, Applicant respectfully submits that claim 22 and its dependent claims are allowable over *Flanagin*.

In *Flanagin*, the mobile device 3A includes a memory 90 that stores unique identifiers at 91A and 91B for each partnership formed between the mobile device 3A and partnered computers, such as the desktop computer 4. By making the identifiers stored at 91A and 91B unique for each partnership formed, the mobile device 3A or 3B can have many partnerships with the desktop computer 4 for different uses. While the identifier stored at 91A corresponds to one of the profile areas 13A or 13B in the desktop computer 4, the identifier stored at 91B corresponds to a profile area in another desktop computer. See *Flanagin* col. 7, lines 57 – col. 8, lines 3.

The desktop computer 4 may operate in a wired or wireless networked environment using logic connections to one or more remote computers, such as a remote computer 49. The remote computer 49 may be another personal computer, a server, a router, a network PC, a peer device or other network node. The logic connections depicted in FIG. 2 include a local area network (LAN) 51 and a wide area network (WAN) 52. When used in a LAN networking environment, the desktop computer 4 is connected to the local area network 51 through a network interface or an adapter 53. When used in a WAN networking environment, the desktop computer 4 includes a modem 54 for establishing communications over the Internet. The network establishes a communication link between the computers, for example, in one form of connection, the mobile device 3A can connect to the desktop computer 4 through the serial port interface 46. See *Flanagin* col. 6, lines 12-41. However, when the mobile device 3A has been connected to a computer other than the desired computer, the system will continue to look for the desired

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computer, for example, through the network 123 without any further action by the user. See *Flanagin* col. 10, lines 60-64.

Claim 1 is directed to configuring a computer to associate with one or more wireless networks through a corresponding wireless communication link. The method comprises creating a plurality of computer profiles for connection to at least one of the wireless networks, wherein each of the plurality of computer profiles includes a network identifier corresponding to a different wireless network.

Claim 1 is also allowable over *Flanagin*. Applicant's Specification, in Figure 5a, illustrates a method for creating software configuration profiles enabling portable terminals to operate over different wireless local area networks (WLANs). See Applicant's Specification, page 10, lines 4-5. Several profiles may be created 540 by the user reflecting different WLAN connections. The profiles each correspond to a unique service provider, communication protocol or operations parameter. See page 10, lines 13-17 in Applicants Specification.

In the Final Office Action dated October 18, 2005, on pages 6 -7, the Examiner alleges that *Flanagin* in col. 3, lines 1 – col. 4, line 18, col. 6, lines 12- 39, and col. 7, line 57 – col. 8, line 3 teaches all the elements of claim 1. Contrary to Examiner's assertion, *Flanagin* teaches use of the partnership information 10 that enables access to any relevant user setting pertaining to the partnership. See *Flanagin* col. 3, lines 39-65. The partnership information 10 includes configuration settings for services used by the user to transfer or copy data between the connected mobile device 3A or 3B and the desktop computer 4 as well as data necessary to perform a service. See *Flanagin* col. 4, lines 8-11. The partnership information 10 comprises settings or parameters to control aspects of the connection and data transfer process when each mobile device 3A and 3B is connected. The partnership information 10 is accessed each time the

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user connects the mobile devices 3A and 3B thereto. Thus, each user need not have to reestablish his or her user preferences each time the mobile device 3A or 3B is connected. The partnership information 10 includes any unique settings for each unique type of mobile device being connected to the desktop computer 4. Therefore, Flanagan configures settings for services to be used by the user to control aspects of the connection and the data transfer process when a mobile device is connected to the desktop computer 4. See *Flanagan*, col. 4, lines 8-11.

Moreover, *Flanagan* forms partnerships between the mobile devices 3A and 3B and the desktop computer 4 through a direct serial connection such as illustrated in FIG. 5 at the serial connection 115 or the infrared link 117. The desktop computer 4 forms a local connection. See *Flanagan* col. 4, lines 39-51. As taught in *Flanagan*, the wireless IR link creates a local connection with the desktop computer 4. Thus, *Flanagan* does not teach storing a plurality of network profiles to allow connections to one or more available wireless networks.

Flanagan does also not teach "network profiles," corresponding to a different available wireless network. While Figure 4 in *Flanagan* shows that a mobile device 3A or 3B may have a number of identifiers, (e.g. ID1 91A and ID2 91B) stored to connect to various desktop computers 4, it does not teach or even suggest creating a plurality of network profiles associated with different wireless networks available to the mobile device 3A or 3B. Rather, the identifiers are used to identify a particular desktop computer with which a "partnership" can be established. These identifiers are thus computer IDs, and not network identifiers.

As described above, *Flanagan* does not teach multiple computer profiles, much as creating a plurality of computer profiles for connection to at least one of the wireless networks. Accordingly, *Flanagan* at least does not teach creating a plurality of computer profiles for

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connection to at least one of the wireless networks, where each of the plurality of computer profiles includes a network identifier corresponding to a different wireless network. For at least this reason, claim 1 and its dependent claims are allowable.

With respect to rejection of claim 11 and its dependent claims, Applicant respectfully submits that *Flanagin* at least does not teach prompting the user to enter profile information associated with multiple wireless networks. The Examiner asserts that *Flanagin* discloses this feature in col. 3, lines 1 – col. 4, line 18, col. 6, lines 12- 39. As set forth above in the context of claims 1 and 22, these citations provided by the Examiner fail to teach the feature of creating multiple computer or network profiles, thus *Flanagin* is completely silent with regard to prompting the user to enter profile information associated with multiple wireless networks. For at least the aforementioned reasons, independent claim 11 is not anticipated by *Flanagin* and is also in condition for allowance.

With respect to claim 14, the Examiner again cites col. 3, lines 1 – col. 4, line 18, col. 6, lines 12- 39, and col. 7, line 57 – col. 8, line 3 in *Flanagin* to reject claim 14 and its dependent claims. Applicant respectfully disagrees. As indicated above, *Flanagin* at least does not teach storing data representation of each of the plurality of wireless networks. Therefore, independent claim 14 and its dependent claims are allowable for at least the reasons cited above.

With respect to claim 32, the Examiner Summary, cites col. 3, lines 1 – 38, col. 9, line 61 – col. 10, line 15 in *Flanagin* to reject claim 32 and its dependent claims. Applicant respectfully traverses the Examiner's rejections. Claim 32 calls for storing a plurality of network profiles in a processor-based system to allow connections to one or more wireless networks available to the processor-based system, wherein each of the plurality of network profiles is associated with a

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given wireless network. The method of claim 32 further calls for automatically establishing a wireless connection between the processor-based system and the at least one of the available wireless networks.

As set forth above, *Flanagin* at least does not teach storing multiple network profiles to allow connections to one or more wireless networks. Rather, *Flanagin* teaches that once the appropriate connectoid (a type of communication link by which the connection is to be made to the desktop computer 4) is chosen, the user is asked to choose the particular desktop computer to which the connection is desired. As with the connectoid, the user is provided with a number of computer name options. See *Flanagin* col. 9, lines 61-65. Alternatively, a module initiates communication with the desktop computer 4 to make an automatic local connection without the user participation. See *Flanagin* col. 10, lines 9-11. Since *Flanagin* is completely silent with regard to multiple network profiles to allow connections to one or more wireless networks, independent claim 32 and its dependent claims 33 and 34 are also allowable for at least the reasons set forth above.

Dependent claims 4 and 25 were rejected under 35 U.S.C. 103(a) as being unpatentable over *Flanagin* in view of U.S. Patent 6,680,923 (*Leon*). Notwithstanding the Examiner's characterization of *Flanagin*, with respect the Examiner's obviousness rejection of claims 4 and 25, Applicant respectfully submits that *Leon* fails to cure the fundamental deficiencies of *Flanagin*. Therefore, whether considered alone or in combination, for at least one or more of the reasons presented above, dependent claims 4 and 25 are allowable over *Flanagin* and *Leon*.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

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Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. That is, there must be something in the prior art as a whole to suggest the desirability and thus the obviousness of making the combination. The mere fact that the prior art can be combined or modified does not make the resultant combination obvious unless the prior art suggests the desirability of the combination. Third, there must be a reasonable expectation of success.

Leon describes a method for establishing communication with any one of a variety of different wireless communication devices and over the air network may be used for communication. An auto switching capability establishes data communication with a computer or with the over-the-air-network. See *Leon* Abstract. The Examiner relies on *Leon* to describe encrypting the data passing over the communication link between the processor-based system and at least one of the networks. The Examiner alleges that it would have been obvious to make the proposed combination because *Leon* teaches this encryption feature.

However, *Leon* provides no particular suggestion or motivation for modifying the subject matter described in *Flanagin* to arrive at Applicant's claimed invention. *Flanagin* also fails to provide any suggestion or motivation for modifying the prior art to arrive at Applicant's claimed invention. In particular, Applicant respectfully submits that the cited reference provides no indication that data passing over a communication link between a processor-based system and at least one of the wireless networks may be encrypted. Applicant respectfully submits that a person of ordinary skill in the art would not use the encrypt transmission between devices described by *Leon* to encrypt data passing over a communication link between a processor-based system and a wireless network. That is, *Leon* describes encryption in a baseband protocol for a

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single wireless Bluetooth or similar transceiver, whereas *Flanagin* describes use of one of many different types of communication links that share connections to a single network either wireless or wired. Therefore, both *Flanagin* and *Leon* are completely silent with regard to a network profile that allows connection to one or more wireless networks such that the data passing over a communication link between a processor-based system and at least one of the wireless networks may be encrypted. Consequently, *Leon* does not remedy the fundamental deficiencies of *Flanagin*. Applicant therefore respectfully submits that the Examiner has failed to make a *prima facie* case that the present invention in claim 4 and 25 is obvious over the prior art of record. Applicant requests that Examiner's rejections of claims 4 and 25 under 35 U.S.C. §103(a) be withdrawn and the Examiner allow claims 4 and 25 for at least the reasons set forth above.

As described above *Leon* is directed to establishing communication with any one of a variety of different wireless communication devices over the air network. In contrast, *Flanagin* is directed to use of one of many different types of communication links to a single network. These are art that are directed starkly contrasting endeavors. Without applying improper hindsight reasoning, those skilled in the art would not combine *Leon* and *Flanagin* to make obvious all of the claims 4 and 25 of the present invention. However, as described above, even if *Flanagin* and *Leon* were to be combined, all of the elements of claims 4 and 25 would not be made obvious. Accordingly, claims 4 and 25 are also allowable.

Independent claims 1, 11, 14, 15, 22 and 32 are allowable for at least the reasons cited herein. Additionally, dependent claims 2-10, 12-13, 34, 23-31 and 33, which depend from claims 1, 11, 14, 22 and 32 respectively, are also allowable for at least the reasons cited herein.

Reconsideration of the present application is respectfully requested.

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In light of the arguments provided herein, Applicant respectfully asserts and claims 1-15 and 22-34 are allowable and a Notice of Allowance is respectfully solicited.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is respectfully requested to call the undersigned at the Houston, Texas telephone number (713) 934-4089 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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